

# State of South Dakota

## EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

727L0378

### SENATE BILL NO. 27

Introduced by: Senators Kloucek, Bartling, and Peterson (Jim) and Representatives Glover and Valandra

1 FOR AN ACT ENTITLED, An Act to revise the rule-making authority regarding the mowing  
2 of ditches on the state trunk highway system.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 31-5-21 be amended to read as follows:

5 31-5-21. The Transportation Commission may, by rules promulgated pursuant to chapter 1-  
6 26, authorize the mowing of ditches on the state trunk highway system. The rules shall establish  
7 when mowing may be done, by whom mowing may be done, how and where mowing may be  
8 done, and the time limit for removal of hay if mowing is done for hay production. However, the  
9 rules shall provide that the original owner or assigns of land abutting the ditches on the state  
10 trunk highway system shall be given priority for mowing. In addition, no rules may be  
11 promulgated that would prohibit the mowing of a ditch on the state trunk highway system after  
12 June fifteenth of each year.

